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PRESIDENT'S MESSAGE.

Fellow citizens of the Senate, and House of Representatives.

Our deep and heart-felt gratitude is due to that Almighty Power which has bestowed upon us such varied and numerous blessings throughout the past year. The general health of the country has been excellent; our harvests have been unusually plentiful, and prosperity smiles throughout the land. Indeed, notwithstanding our domestic and foreign wars, we have much reason to believe from the past events in our history, that we have enjoyed the special protection of Divine Providence ever since our origin as a nation. We have been exposed to many threatening and alarming difficulties in our progress; but on each successive occasion the impending cloud has been dissipated at the moment it appeared ready to burst upon our head, and the danger to our institutions has passed away. May we ever be under the divine guidance and protection!

While it is the duty of the President from time to time to give to Congress information of the state of the Union, I shall not refer in detail to the recent and bloody occurrences at Harper's Ferry. Still it is proper to observe that these events, however bad and cruel in themselves, derive their chief importance from the apprehension that they are but symptoms of an incurable disease in the public mind, which may break out in still more dangerous outrages and terminate at last in an open war by the North to abolish slavery in the South. While for myself, I entertain no such apprehension, they ought to afford a solemn warning to us all to beware of the approach of danger. Our Union is a stake of such inestimable value as to demand our constant and watchful vigilance for its preservation. In this view, let me implore my countrymen, North and South, to cultivate the ancient feelings of mutual forbearance and good will toward each other, and strive to allay the demon spirit of sectional hatred and strife now alive in the land. This advice proceeds from the heart of an old public functionary whose services commenced in the last generation, among the wise and conservative statesmen of that day, now nearly all passed away, and whose first and dearest earthly wish is to leave his country tranquil, prosperous, united, and powerful.

dangered by rash counsels, knowing that should the silver cord be loosed or the golden bowl be broken, the fountain of human power could never reunite the scattered and hostile fragments. I cordially congratulate you upon the final settlement by the Supreme Court of the United States of the question of slavery in the Territories, which had presented an aspect so truly formidable at the commencement of my administration. The right has been established of every citizen to take his property of any kind, including slaves, into the common Territories belonging equally to all the States of the Confederacy, and to have it protected there under the Federal Constitution. Neither Congress nor a territorial legislature nor any human power has any authority to annul or impair this vested right. The Supreme judicial tribunal of the country, which is a co-ordinate branch of the Government, has sanctioned and affirmed these principles of constitutional law, so manifestly just in themselves, and so well calculated to promote peace and harmony among the States. It is a striking proof of the sense of justice which is inherent in our people, that the property in slaves have never been disturbed, to my knowledge, in any of the Territories. Even throughout the late troubles in Kansas there has not been any attempt, as I am credibly informed, to interfere, in a single instance, with the rights of the master. Had any such attempt been made, the judiciary would doubtless have afforded an adequate remedy. Should they fail to do this hereafter, it will then be time enough to strengthen their hands by further legislation. Had it been decided that Congress or the territorial legislature possess the power to annul or impair the right to property in slaves, the evil would be intolerable. In the latter event, there would be a struggle for a majority of the members of the legislature at each successive election, and the sacred rights of property held under the Federal Constitution would depend for the time being on the result. The agitation would thus be rendered incessant, and its baneful influence would keep alive a dangerous excitement among the people of the several States.

Thus has the status of a Territory, during the intermediate period from its first settlement until it shall become a State, been irrevocably fixed by the final decision of the Supreme Court. Fortune has this been for the prosperity of the Territories, as well as the tranquility of the States. Now, emigrants from the North and the South, the East and the West, will meet in the Territories on a common platform, having brought with them the species of property best adapted, in their own opinion, to promote their welfare. From natural causes the slavery question will in each case soon virtually settle itself, and before the Territory is prepared for admission as a State into the Union this decision, one way or the other, will have been a foregone conclusion. Meanwhile the settlement of the Territory will proceed without serious interruption, and its progress and prosperity will not be endangered or retarded by violent political struggles.

When in the progress of events the inhabitants of any Territory shall have reached the number required to form a State, they will then proceed, in a regular manner, and in the exercise of the rights of popular sovereignty, to form a constitution, preparatory to admission into the Union. After this has been done, to employ the language of the Kansas and Nebraska act, they shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission. This sound principle has happily been recognized, in some form or other, by an almost unanimous vote of both houses of the late Congress.

All lawful means at my command have been employed, and shall continue to be employed, to execute the law against the African slave-trade. After a most careful and rigorous examination of our coasts and a thorough investigation of the subject, we have not been able to discover that any slaves have been imported into the United States except the cargo by the Wanderer, numbering between three and four hundred. These engaged in this unlawful enterprise have been rigorously prosecuted; but not with as much success as their crimes deserved. A number of them are still under prosecution.

Our history proves that the Fathers of the Republic, in advance of all other nations, condemned the African slave-trade. It was, notwithstanding, deemed expedient by the framers of the Constitution, to deprive Congress of the power to prohibit the migration or importation of such persons as any of the States now existing shall think proper to admit, "prior to the year one thousand eight hundred and eight." It will be seen that this restriction on the power of Congress was confined to such States only as might think proper to admit the importation of slaves. It did not extend to other States or to the trade carried on abroad. Accordingly, we find that so early as the 23d of March, 1794, Congress passed an

act imposing severe penalties and punishments upon citizens and residents of the United States who should engage in this trade between foreign nations. The provisions of this act were extended and enforced by the act of 10th May, 1800. Again: The States themselves had a clear right to waive the constitutional privilege intended for their benefit, and to prohibit by their own laws, this trade at any time they thought proper previous to 1808. Several of them exercised this right before this period, and among them some containing the greatest number of slaves. This gave to Congress the immediate power to act in regard to all such States, because they themselves had removed the constitutional barrier. Congress accordingly passed an act on the 23d February, 1803, "to prevent the importation of certain persons into certain States, where, by the laws thereof, their admission is prohibited." In this manner the importation of African slaves into the United States was, to a great extent, prohibited some years in advance of 1808.

As the year 1808 approached, Congress determined not to suffer this trade to exist even for a single day after they had the power to abolish it. On the 2d March, 1807, they passed an act, to take effect "from and after the 1st day of January, 1808," prohibiting the importation of African slaves into the United States. This was followed by subsequent acts of a similar character, to which I need not specially refer. Such were the principles and such the progress of our ancestors more than fifty years ago in regard to the African slave trade.

It did not occur to the revered patriots who had been delegates to the convention, and afterwards became members of Congress, that in passing these laws they had violated the Constitution, which they had framed with so much care and deliberation. They supposed that to prohibit Congress, in express terms, from exercising a specific power before an appointed day, necessarily involved the right to exercise this power after that day had arrived.

If this were not the case, the framers of the Constitution had expended much labor in vain. Had they imagined that Congress would possess no power to prohibit the trade either before or after 1808, they would not have taken so much care to protect the State against the exercise of this power before that period. Nay, more, they would not have attached such vast importance to this provision as to have excluded it from the possibility of future repeal or amendment, to which other portions of the Constitution were exposed. It would, then, have been wholly unnecessary to engrave on the fifth article of the Constitution, prescribing the mode of its own future amendment, the proviso that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the provisions in the Constitution securing to the States the right to admit the importation of African slaves previous to that period.

According to the adverse construction, the clause itself, on which so much care and discussion had been employed by the members of the convention, was an absolute nullity from the beginning, and all that has since been done under it a mere usurpation.

It was well and wise to confer this power on Congress, because, had it been left to the States, its efficient exercise would have been impossible. In that event any State could have effectively continued the trade not only for itself, but for all the other slave States, though never so much against their will. And why? Because African slaves, when once brought within the limits of any State, in accordance with its laws, cannot practically be excluded from any other State where slavery exists. And even if all the States had separately passed laws prohibiting the importation of slaves, these laws would have failed of effect for want of a naval force to capture the slavers and to guard the coasts. Such a force no State can employ in time of peace without the consent of Congress.

These acts of Congress, it is believed, have with very rare and insignificant exceptions, accomplished their purpose. For a period of more than half a century there has been no perceptible addition to the number of our domestic slaves. During this period their involvement in civilization has far surpassed that of any other portion of the African race. The light and the blessings of Christianity have been extended to them, and both their mental and physical condition has been greatly improved.

Re-open the trade, and it would be difficult to determine whether the effect would be more deleterious to the interest of the nation or to those of the native born slave. Of the evils to the master, the one most to be dreaded would be the introduction of wild, heathen and ignorant barbarians among the sober, orderly and quiet slaves, whose ancestors have been on the soil for several generations. This might tend to barbarize, demoralize, and exasperate the whole mass, and produce most deplorable consequences.